

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

IN RE:	§	CASE NUMBER:
	§	
CROSS-ROADS II	§	14-70428-M-11
ENTERPRISES, INC.	§	
Debtors	§	(Chapter 11)

MOTION OF THE UNITED STATES TRUSTEE TO DISMISS OR CONVERT CASE

BLR 9013 NOTICE: THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY .

TO THE HONORABLE EDUARDO V. RODRIGUEZ
CHIEF UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, Judy A. Robbins, the United States Trustee for the Southern District of Texas, by and through the undersigned counsel, who respectfully requests entry of an order dismissing or converting this case pursuant to 11 U.S.C. § 1112(b), and represents as follows:

I. JURISDICTION AND VENUE

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. A matter involving a motion to dismiss or convert is a core proceeding pursuant to 28 U.S.C. § 157(b) (2) (A). Venue is appropriate pursuant to 28 U.S.C. § 1408.
2. Judy A. Robbins is the duly appointed United States Trustee for the Southern District of Texas ("UST") pursuant to 28 U.S.C. § 581(a)(7). Pursuant to 11 U.S.C. § 307, the UST has standing to appear and be heard on any issue in a case or proceeding under title 11. Pursuant to 28 U.S.C. § 586(a) (3), the UST is statutorily obligated to monitor the administration of cases commenced under the Bankruptcy Code, 11 U.S.C. § 101 *et seq.*

II. FACTUAL BACKGROUND

3. Cross-Roads II Enterprises, Inc., (the “Debtor”) filed a voluntary petition on August 4, 2015 seeking relief under chapter 11 of the Bankruptcy Code.
4. Debtor filed a small business Disclosure Statement and Plan on December 2, 2014. A hearing was originally set for January 21, 2015, but continued until February 25, 2015, March 18, 2015, April 15, 2015, and May 20, 2015. No Plan has been confirmed.
5. Debtor does not appear to be prosecuting this case and has not demonstrated any reasonable prospects for reorganization.
6. Debtor has *not* filed monthly operating reports for any time period after May 2015.
7. Debtor is current on *estimated* quarterly fees, subject to variance.

III. RELIEF SOUGHT

8. The UST seeks an order dismissing or converting this case pursuant to 11 U.S.C. § 1112(b)(1).

IV. BASIS FOR RELIEF

9. 11 U.S.C. § 1112(b) (1) provides that the Court shall convert or dismiss a case if the movant establishes cause. The United States Trustee believes there is cause based on deficiencies identified in paragraphs 3-7 above.

WHEREFORE, the UST prays that this Court enter an order dismissing or converting this case pursuant to 11 U.S.C. § 1112(b), and for any and all further relief as may be equitable and just.

Dated: August 19, 2015

Respectfully Submitted,

JUDY A. ROBBINS
UNITED STATES TRUSTEE

By: /s/ Stephen D. Statham
Stephen D. Statham
Trial Attorney
Texas Bar No. 19082500
515 Rusk, Suite 3516
Houston, Texas 77002
(713) 718-4650 Ext. 252
(713) 718-4680 Fax

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing MOTION OF THE UNITED STATES TRUSTEE TO DISMISS OR CONVERT CASE was served upon the parties listed below by the manner indicated on the 19th day of August, 2015.

/s/ Stephen D. Statham
Stephen D. Statham

T Banks

jbanks@pbfc.com

representing **Hidalgo County and Hidalgo County Drainage District #1**

Carina Criselda Garza

carina@garzagarcialaw.com

representing **Cross-Roads II Enterprises, Inc.**

Matthew James Pyeatt

mpyeatt@gardere.com

representing **RREF II CB III-TX CRE, LLC**

Diane Wade Sanders

austin.bankruptcy@publicans.com

representing **City Of Palmview, La Joya ISD, South Texas College, South Texas ISD**

Thomas C Scannell, Jr

tscannell@gardere.com

representing **RREF II CB Acquisitions, LLC**

Cross-Roads II Enterprises, Inc.

PO Box 2754

Mission, TX 78572